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Attorneys for Petitioner EDAG Engineering GmbH,
a corporation organized and existing under the laws
of the Republic of Germany

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

EDAG Engineering GmbH,

Petitioner,

v.

BYTON North America

Corporation,

Respondent.

Case No. 3:21-cv-04736-EMC

PROOF OF SERVICE

Date: December 9, 2021

Time: 1:30 pm

Location: VideoConference via Judge

Chen's e – [Link](#)

Petition Filed: June 23, 2021

***PROOF OF SERVICE ATTACHED**

PROOF OF SERVICE

BYTON NORTH AMERICA CORPORATION

4201 BURTON DR
SANTA CLARA, CA 95054
info@byton.com
FEDEX

SADHA KAMESWARAN

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MENLO PARK CA 94025
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via Legalese,

FMC CAYMAN

WALKERS CORPORATE LIMITED,
CAYMAN CORPORATE CENTRE,
27 HOSPITAL ROAD, GEORGE TOWN,
GRAND CAYMAN KYL-9008, CAYMAN ISLANDS

BYTON LIMITED

LEVEL 19
TWO INTERNATIONAL FINANCE CENTER
8 FINANCE STREET, CENTRAL
HONG KONG

KV CORPORATE SERVICES LIMITED

SUITE 3002, 30/F., PROSPERITY TOWER,
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WESTLAKE VILLAGE, CA 91361
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I declare:

I am employed in the County of San Francisco, California. I am over the age of eighteen (18) years and not a party to the within cause. My business address is 165 Fell Street, San Francisco, CA 94102. On the date set forth below, I served the attached:

EX PARTE APPLICATION FOR ISSUANCE OF THE FOLLOWING: (A) TURNOVER OF INTELLECTUAL PROPERTY OF BYTON NORTH AMERICA CORP. ("BNA") to the U.S. MARSHAL ED CA ("MARSHAL") PURSUANT TO C.C.P. SECTION 699.040(a)&(b); (B) APPOINT A RECEIVER AS SURROGATE FOR BNA TO DIRECT JAMA SOFTWARE AS CUSTODIAN OF BNA IP TO TURNOVER TO THE MARSHAL, AND SALE BY MARSHAL PURSUANT TO C.C.P. SECTION 701.520(b) .

DECLARATION OF DAVID J. COOK ESQ., IN SUPPORT OF EX PARTE APPLICATION FOR ISSUANCE OF THE FOLLOWING: (A) TURNOVER OF INTELLECTUAL PROPERTY OF BYTON NORTH AMERICA CORP. ("BNA") to the U.S. MARSHAL ED CA ("MARSHAL") PURSUANT TO C.C.P. SECTION 699.040(a)&(b); (B) APPOINT A RECEIVER AS SURROGATE FOR BNA TO DIRECT JAMA SOFTWARE AS CUSTODIAN OF BNA IP TO TURNOVER TO THE MARSHAL, AND SALE BY MARSHAL PURSUANT TO C.C.P. SECTION 701.520(b) .

1 **[PROPOSED] ORDER TO TURNOVER OF INTELLECTUAL PROPERTY OF BYTON NORTH**
2 **AMERICA CORP. ("BNA") to the U.S. MARSHAL ED CA ("MARSHAL") PURSUANT TO C.C.P.**
3 **SECTION 699.040(a)&(b) AND APPOINT A RECEIVER AS SURROGATE FOR BNA TO DIRECT**
4 **JAMA SOFTWARE AS CUSTODIAN OF BNA IP TO TURNOVER TO THE MARSHAL, AND**
5 **SALE BY MARSHAL PURSUANT TO C.C.P. SECTION 701.520(b).**

6 on the above-named person(s) by:

7 XXX (BY MAIL/FED EX) Placing a true copy thereof, enclosed in a sealed envelope, with
8 postage thereon fully prepaid, in the United States mail at San Francisco, California, addressed to
9 the person(s) served above, or Federal Express as stated above, if an ECF party, service thereto.

10 I declare under penalty of perjury under the laws of the State of California that the foregoing
11 is true and correct. Executed on December 20, 2021 at San Francisco, California.

12 /s/ DAVID J. COOK